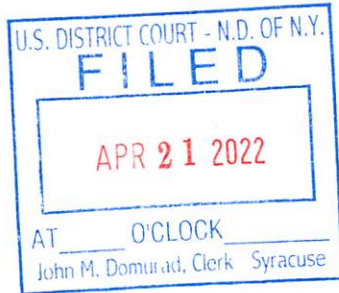


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOHN DOE,
aka "Jimmy Earl McNeill"
aka "Michael Gerard Simpson"



Defendant.

) Criminal No. 3:21-CR-385 (TJM)
)
) **First Superseding Indictment**
)
) Violations: 18 U.S.C. § 1028A(a)(1)
) [Aggravated Identity Theft]
)
) 42 U.S.C. § 1383a(a)(3)(A)
) [Supplemental Security
) Income Fraud]
)
) 42 U.S.C. § 408(a)(7)(B)
) [Misuse of a Social Security
) Number]
)
) 4 Counts
)
) County of Offense: Tioga

THE GRAND JURY CHARGES:

COUNT 1

[Aggravated Identity Theft]

On or about June 24, 2021, in Tioga County in the Northern District of New York, the defendant,

JOHN DOE
aka "Jimmy Earl McNeill," aka "Michael Gerard Simpson,"

knowingly did use, without lawful authority, a means of identification of another person during and in relation to a felony violation of Title 42, United States Code, Section 1383a(a)(3)(A), that is, defendant **DOE**, during questioning by agents of the Social Security Administration, Office of Inspector General, regarding his ongoing eligibility for Supplemental Security Income benefit payments, identified himself using a name, date of birth, and Social Security number that did not belong to him, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT 2
[Supplemental Security Income Fraud]

From on or about March 4, 1999, through on or about June 24, 2021, in Tioga County in the Northern District of New York and elsewhere, the defendant,

JOHN DOE
aka “Jimmy Earl McNeill,” aka “Michael Gerard Simpson,”

having knowledge of the occurrence of an event affecting his initial and continued right to payment of Title XVI Supplemental Security Income benefits, concealed and failed to disclose such event with the intent to fraudulently secure such benefits in an amount greater than was due to him and when no benefit was authorized, in that, from on or about March 4, 1999, through on or about June 24, 2021, defendant **DOE** concealed from the Social Security Administration that the name, date of birth, and Social Security number used by him in his application for Supplemental Security Income benefits on March 4, 1999, were not in fact his name, date of birth, or Social Security number, all in order to deceive the Social Security Administration into making benefit payments to him when he was ineligible to receive such payments, in violation of Title 42, United States Code, Section 1383a(a)(3)(A).

COUNT 3
[Aggravated Identity Theft]

On or about June 24, 2021, in Tioga County in the Northern District of New York, the defendant,

JOHN DOE
aka “Jimmy Earl McNeill,” aka “Michael Gerard Simpson,”

knowingly did use, without lawful authority, a means of identification of another person during and in relation to a felony violation of Title 42, United States Code, Section 408(a)(7)(B), that is, defendant **DOE**, during questioning by agents of the Social Security Administration, Office of Inspector General, regarding his ongoing eligibility for Supplemental Security Income benefit

payments, identified himself using a Social Security number that did not belong to him, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT 4
[Misuse of a Social Security Number]

On or about June 24, 2021, in Tioga County in the Northern District of New York and elsewhere, the defendant,

JOHN DOE
aka "Jimmy Earl McNeill," aka "Michael Gerard Simpson,"

for the purpose of obtaining something of value and for any other purpose, did, with intent to deceive, falsely represent a number to be the Social Security account number assigned by the Commissioner of Social Security to him during questioning by agents of the Social Security Administration, Office of Inspector General, regarding his ongoing eligibility for Supplemental Security Income benefit payments, when in fact, such number was not the Social Security account number assigned by the Commissioner of Social Security to him, in violation of Title 42, United States Code, Section 408(a)(7)(B).

Dated: April 21, 2022

A TRUE BILL, *NAME REDACTED*


Grand Jury Foreperson

CARLA B. FREEDMAN
United States Attorney

By:


Adrian S. LaRochelle
Special Assistant United States Attorney
Bar Roll No. 701266